

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

INTERNAL VERTEBRAL BODY DISTRACTION DEVICE AND METHOD

the specification of which

(check one)

☐

is attached hereto.

☒

was filed on June 1, 2001 as United States Application No. 09/872,905; or PCT
International Application Number _____
and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

(Number)

(Country)

(Day/Month/Year Filed)

☐

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)
_____ (Application Serial No.)	_____ (Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C.F.R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status) (patented, pending, abandoned)

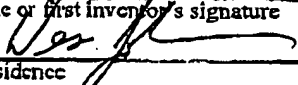
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

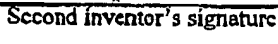
POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (*list name and registration number*)

Philip M. Goldman, Registration No. 31,162; James R. Haller, Registration No. 24,906; Steven J. Keough, Registration No. 33,190; Thomas L. McMasters, Registration No. 45,593; Alicia Griffin Mills, Registration No. 46,933; Adonis Neblett, Registration No. 32,358; Charles D. Segelbaum, Registration No. 42,138; Mary P. Bauman, Registration No. 31,926; Eric J. Snustad, Registration No. 45,120; and David C. West, Registration No. 35,735; Craig F. Taylor, Registration No. 40,199; Allen W. Groenke, Registration No. 42,608

Send Correspondence to: James R. Haller
Fredrikson & Byron, P.A.
900 Second Avenue South
1100 International Centre
Minneapolis, MN 55402

Direct Telephone Calls to: (*name and telephone number*)
James R. Haller, 612-347-7017

Full name of sole or first inventor	
Wes Johnson	
Sole or first inventor's signature	Date
	7/11/01
Residence	
8091 Spruce Trail, Eden Prairie, Minnesota 55347	
Citizenship	
United States	
Post Office Address	
8091 Spruce Trail, Eden Prairie, Minnesota 55347	

Full name of second inventor	
Tyler Lipschultz	
Second inventor's signature	Date
	
Residence	
15 South 1 st Street, #A1119 Minneapolis, Minnesota 55401	
Citizenship	
United States	
Post Office Address	
15 South 1 st Street, #A1119 Minneapolis, Minnesota 55401	

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

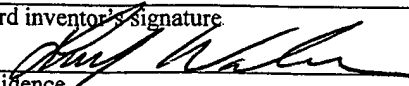
Philip M. Goldman, Registration No. 31,162; James R. Haller, Registration No. 24,906; Steven J. Keough, Registration No. 33,190; Thomas L. McMasters, Registration No. 45,593; Alicia Griffin Mills, Registration No. 46,933; Adonis Neblett, Registration No. 32,358; Charles D. Segelbaum, Registration No. 42,138; Mary P. Bauman, Registration No. 31,926; Eric J. Snustad, Registration No. 45,120; and David C. West, Registration No. 35,735; Craig F. Taylor, Registration No. 40,199; Allen W. Groenke, Registration No. 42,608

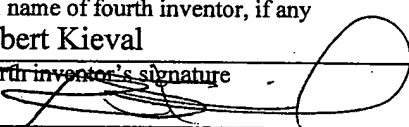
Send Correspondence to: James R. Haller
Fredrikson & Byron, P.A.
900 Second Avenue South
1100 International Centre
Minneapolis, MN 55402

Direct Telephone Calls to: *(name and telephone number)*
James R. Haller, 612-347-7017

Full name of sole or first inventor	
Wes Johnson	
Sole or first inventor's signature	Date
Residence	
8091 Spruce Trail, Eden Prairie, Minnesota 55347	
Citizenship	
United States	
Post Office Address	
8091 Spruce Trail, Eden Prairie, Minnesota 55347	

Full name of second inventor	
Tyler Lipschultz	
Second inventor's signature	Date
Residence	
15 South 1 st Street, #A1119 Minneapolis, Minnesota 55401	
Citizenship	
United States	
Post Office Address	
15 South 1 st Street, #A1119 Minneapolis, Minnesota 55401	

Full name of third inventor, if any Larry Wales	
Third inventor's signature 	Date 7/12/01
Residence 1654 Currie Street, Maplewood, Minnesota 55119	
Citizenship United States	
Post Office Address 1654 Currie Street, Maplewood, Minnesota 55119	

Full name of fourth inventor, if any Robert Kieval	
Fourth inventor's signature 	Date 7-12-01
Residence 850 Foxberry Circle, Medina, Minnesota 55340	
Citizenship United States	
Post Office Address 850 Foxberry Circle, Medina, Minnesota 55340	